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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. Of:

HELLER et al.

DOCKET: Pol01.04Div

Serial No.:

10/770,430

Art Unit: 3611

For:

FAILSAFE SMARTBAR ACTUATOR

Filed:

February 3, 2004

Examiner: Not Yet Assigned

Mail Stop: Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 11, 2005, at Manchester, New Hampshire.

By

Mary Boyd

PRELIMINARY AMENDMENT

Dear Sir:

Prior to examination and prior to calculation of fees, Applicants respectfully request that the following amendments be made to the above-identified application.

Please amend the application as follows:

Amendments to the Specification are reflected in the replacement paragraph beginning at page 2 of this paper;